

Book III.  
Title XVII.

Where a trust estate should be demanded.  
(Ubi fideicommissum peti oportet.)

Bas. 7.5.79.

3.17.1. Emperors Severus and Antoninus to Demetrius.

It is not to be doubted that a trust (provided by a decedent) should be claimed where the inheritance has been left.

Promulgated August 25 (204).

Note.

Where the estate belonging to the inheritance was located in different places, the rule was that a trust should be sued for in the place where the bulk of the estate was. Further, it seems that suit might be brought in the place of the domicile of the person charged with the delivery of the trust property. D. 5.1.50; 10 Cujacius 880. Hence, the rule was not as absolute as the foregoing rescript seems to indicate. A legacy was governed by the same rule as a trust, the two being treated as substantially the equivalent in Justinian's time.